

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

**GILBERTO GUERRA,
ADC #123482**

PLAINTIFF

V.

2:07-CV-00099-WRW-BD

**ARKANSAS DEPARTMENT
CORRECTION, *et al.***

DEFENDANTS

ORDER

The Court has received the Recommended Disposition from Magistrate Judge Beth Deere. After careful review of the Recommended Disposition, the timely objections received thereto, as well as a *de novo* review of the record, the Court concludes that the Recommended Disposition should be, and hereby is, approved and adopted as this Court's findings in all respects in its entirety.

Accordingly, the Court hereby GRANTS the motions to dismiss (#16, 26 and 32) of the ADC and Defendants Michael Bufford, Kathy Stewart and Lemontrell Jones, and DISMISSES Plaintiff's complaint WITHOUT PREJUDICE under 28 U.S.C. § 1915(e)(2).

Plaintiff's Motion for Extension (Doc. No. 44) to file further objections is DENIED. Plaintiff first must exhaust the grievance procedure before commencing this lawsuit.

IT IS SO ORDERED this 28th day of December, 2007.

/s/ Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE